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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,709	01/25/2002	Victor Kouznetsov	002.0233.01	9016

22895 7590 03/16/2005

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EXAMINER

TAYLOR, NICHOLAS R

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/057,709	KOUZNETSOV ET AL.	
	Examiner	Art Unit	
	Nicholas R Taylor	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-44 have been examined and are rejected.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 24, 25, 28, 34, 35, 38, 32, 33, and 42-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Engel et al. (US PGPub 2002/0198969.)

4. As per claims 24, 34, and 44, Engel teaches a method for remotely configuring a network appliance deployed within a distributed computing environment, comprising:

 sending a response message containing network settings from at least one network appliance responsive to a query message broadcast over a specified network domain within which the at least one network appliance operates; (Engel, paragraph 0022)

 generating a configuration package for the at least one network appliance and containing centrally managed network settings customized for the at least one network appliance; and (Engel, paragraph 0031-0032)

installing the configuration package on the at least one network appliance as part of an initialization bootstrap operation (Engel, paragraph 0032, wherein the settings initializes devices that are previously unconfigured.)

5. As per claims 25, 35, and 44, Engel teaches the system further comprising:

centrally managing a library of configurations containing network settings for each such network appliance operating with the specified network domain (Engel, paragraph 0034, specifically the configuration server.)

6. As per claims 28, 38, and 44, Engel teaches the system further comprising:

exporting a standardized user interface providing configuration controls for a heterogeneous set of the network appliances (Engel, paragraph 0019, specifically the web browser interface.)

7. As per claims 32, 42, and 44, Engel teaches the system further wherein at least one such network appliance performs one of electronic mail anti-virus scanning, content filtering, packet routing, and file, Web and print servicing (Engel, paragraph 0004.)

8. As per claims 33, 43, and 44, Engel teaches the system further wherein the distributed computing environment is TCP/IP-compliant (Engel, paragraph 0032.)

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9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 9, 10-12, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel et al. (US PGPub 2002/0198969) and Poger et al. (US Patent 6,772,420.)

11. As per claims 1, 12, and 23, Engel teaches a method for providing Web browser-based remote network appliance configuration in a distributed computing environment (Engel, figure 4), comprising:

broadcasting a query message from an applet executing within a Web browser to one or more network appliances interconnected within a bounded network domain defined by a common network address space; (Engel, paragraph 0022)

processing a response message containing network settings received by the applet from at least one such network appliance responsive to the query message; and (Engel, paragraph 0022)

generating and sending a configuration packet using the physical network address for each at least one such network appliance sending a response message and requiring configuration (Engel, paragraph 0031, wherein use of the physical address is part of IP and ethernet communication.)

Although Engel teaches sending “an identifier and/or related information for the network device,” Engel doesn’t specifically teach including the physical network address in response to the query. Poger teaches a network device configuration method that sends a physical address to a server in identifying the device for configuration (Poger, column 4, lines 49-67.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel and Poger to provide the physical address identification of Poger in the system of Engel, because doing so would give each device a unique identification that wouldn’t conflict with other devices on the network (Poger, column 3, lines 19-31.)

12. As per claims 9, 20, and 23, Engel-Poger teaches the system further comprising:
sending at least one of the query message and the configuration packet from the applet responsive to instructions maintained in a message queue (Engel, paragraph 0031-0032.)

13. As per claims 10, 21, and 23, Engel-Poger teaches the system further comprising:
storing into the configuration packet values comprising at least one of hostname, domain, internet protocol address, netmask, gateway, primary domain name server, and secondary domain name server (Engel, paragraph 0029.)

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14. As per claims 11, 22, and 23, Engel-Poger teaches the system further wherein the bounded network domain is compliant with the TCP/IP (Engel, paragraph 0023) and the configuration packet is compliant with the UDP (Engel, paragraph 0032, specifically the "multi-cast protocol".)

15. Claims 2-6 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel et al. (US PGPub 2002/0198969) and Poger et al. (US Patent 6,772,420), further in view of Novaes et al. (US Patent 6,725,261.)

16. As per claims 2, 13, and 23, Engel-Pogel teaches the system further comprising: sending a response message and not requiring configuration (Engel, paragraph 0022.) However, Engel-Pogel fails to teach updating a list of the network appliances for each at least one such network appliance sending a response message and not requiring configuration.

Novaes teaches maintaining a list of network appliance statuses (Novaes, column 17, lines 10-17.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel-Pogel and Novaes to provide the network appliance configuration techniques of Novaes in the system of Engel-Pogel, because doing so would enhance the administration of network appliance networks (Novaes, column 1, lines 56-59.)

17. As per claims 3, 14, and 23, Engel-Poger teaches the above, yet fails to teach:

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receiving a status message from each at least one such network appliance requiring configuration responsive to receipt of the configuration packet.

Novaes teaches receiving a responsive status message from a network appliance in response to a configuration message (Novaes, column 17, lines 19-40.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel-Pogel and Novaes to provide the network appliance configuration techniques of Novaes in the system of Engel-Pogel, because doing so would enhance the administration of network appliance networks (Novaes, column 1, lines 56-59.)

18. As per claims 4, 15, and 23, Engel-Poger-Novaes teaches the system further wherein the status message indicates a successful configuration, further comprising:

sending a kickstart message to each at least one such network appliance to initiate an autonomous management session (Novaes, column 6, lines 14-30.)

19. As per claims 5, 16, and 23, Engel-Poger-Novaes teaches the system further wherein the status message indicates an unsuccessful configuration, further comprising:

resending the configuration packet to the at least one such network appliance (Engel, paragraph 0032, wherein TCP/IP resends failed transmissions.)

20. As per claims 6, 17, and 23, Engel-Poger-Novaes teaches the system further wherein the status message indicates an on-going configuration, further comprising:

waiting for completion of configuration by the at least one such network appliance
(Novaes, column 17, lines 19-40.)

21. Claims 7, 8, 18, 19, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel et al. (US PGPub 2002/0198969) and Poger et al. (US Patent 6,772,420), further in view of Cohen (US PGPub 2003/0023732.)

22. As per claims 7, 18, and 23, Engel-Poger teaches the above, and further comprising:

installing the applet into the Web browser prior to broadcasting the query message (Engel, paragraph 0008, specifically sentences 1-3.)

However, Engel-Poger fails to teach receiving the applet from an applet database storing a plurality of applets customized for execution within each such bounded network domain. Cohen teaches a centralized server storing an applet database (Cohen, paragraph 0032) with applets designed to modify the devices they are downloaded to (Cohen, paragraph 0041.)

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel-Poger and Cohen to provide the configuration applet database of Cohen in the system of Engel-Poger, because doing so would enable updating the functionality of a broad range of devices from a central location (Cohen, paragraph 0010.)

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23. As per claims 8, 19, and 23, Engel-Poger-Cohen teaches the system further comprising:

receiving the applet in a secure session (Cohen, paragraph 0042.)

24. Claims 26, 27, 31, 36, 37, 41 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel et al. (US PGPub 2002/0198969) and Cohen (US PGPub 2003/0023732.)

25. As per claims 26, 36, and 44, Engel teaches the above. However, Engel fails to teach maintaining a library of applets for one or more Web browser-based configuration clients operating within the specified network domain. Cohen teaches a centralized server storing an applet library (Cohen, paragraph 0032) with applets designed to modify the devices they are downloaded to (Cohen, paragraph 0041.)

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel and Cohen to provide the configuration applet database of Cohen in the system of Engel, because doing so would enable updating the functionality of a broad range of devices from a central location (Cohen, paragraph 0010.)

26. As per claims 27, 37, and 44, Engel-Cohen teaches the system further comprising:

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deploying one such applet from the library to each such configuration client using a secure session (Cohen, paragraph 0042.)

27. As per claims 31, 41, and 44, Engel teaches the above, yet fails to teach the system further comprising:

initializing a secure management session following successful configuration package installation on at least one such network appliance.

Cohen teaches configuration package installation in a secure management session (Cohen, paragraph 0040-0041.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel and Cohen to provide the secure configuration of Cohen in the system of Engel, because doing so would enable securely updating the functionality of a broad range of devices from a central location (Cohen, paragraph 0010.)

28. Claims 29, 30, 39, 40, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engel et al. (US PGPub 2002/0198969) and Novaes et al. (US Patent 6,772,420.)

29. As per claims 29, 39, and 44, Engel teaches the above, yet fails to teach the system further comprising:

including at least one of a timestamp and a unique seed value in each such configuration package.

Novaes teaches using a unique seed value to in a configuration package (Novaes, column 9, lines 4-25.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel-Pogel and Novaes to provide the network appliance configuration techniques of Novaes in the system of Engel-Pogel, because doing so would enhance the administration of network appliance networks (Novaes, column 1, lines 56-59.)

30. As per claims 30, 40, and 44, Engel teaches the above, yet fails to teach the system further comprising:

sending a message comprising one of success, failure and unconfigured following configuration package installation at each such network appliance.

Novaes teaches receiving a responsive status message from a network appliance in response to a configuration message (Novaes, column 17, lines 19-40.) It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Engel and Novaes to provide the network appliance configuration techniques of Novaes in the system of Engel, because doing so would enhance the administration of network appliance networks (Novaes, column 1, lines 56-59.)

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes US Patents: 6,834,298, 6,260,078, 6,480,955, and 6,782,474.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Taylor
Examiner
Art Unit 2141



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER